

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the label statement "This Certifies that this thermometer has been tested * * * at 98°, 102°, and 106° F. or its equivalent in centigrade scale, and is correct within plus or minus .15° F. or .08° C. at any of these test points" was false and misleading.

DISPOSITION: 1-24-56. Default—destruction.

5019. Clinical thermometers. (F. D. C. No. 38736. S. No. 36-937 M.)

QUANTITY: 64 *clinical thermometers* in envelopes at West New York, N. J.

SHIPPED: 2-9-55 and 3-1-55, from New York, N. Y., by Dependable Thermometer Co.

LABEL IN PART: (Envelope) "Tested Clinical Thermometer Kind Rectal."

ACCOMPANYING LABELING: Inserts designated "Certificate of Examination Fever Thermometer."

RESULTS OF INVESTIGATION: Examination revealed that 2 out of 15 thermometers taken from this lot failed to meet the labeled standard of accuracy.

LIBELED: 12-8-55, Dist. N. J.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the label statements "This Certifies that the thermometer bearing the above identification number has been tested on the above date at 98°, 102° and 106° F. or its equivalent in centigrade scale, and is correct within plus or minus .20° F. or .11° C. at any of these test points. The accuracy of this thermometer has been determined by testing and checking same with instruments tested by the National Bureau of Standards of the United States Dep't. of Commerce, Washington, D. C." were false and misleading.

DISPOSITION: 1-10-56. Default—destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

5020. Salpharin capsules. (F. D. C. No. 38214. S. No. 7-836 M.)

QUANTITY: 480 100-capsule btls. at Oklahoma City, Okla., in possession of C & D Drug Co.

SHIPPED: In March 1955, from Wichita, Kans.

LABEL IN PART: (Btl.) "Salpharin 100 Capsules * * * Active Ingredients: Salicylamide, Aspirin, Ascorbic Acid with Powdered Alfalfa Seed."

ACCOMPANYING LABELING: Leaflets designated "If you suffer discomforts and pain of—Arthritis Rheumatism Lumbago try the new Salpharin Capsules" and loose bottle labels described above.

RESULTS OF INVESTIGATION: The consignee repackaged the capsules into the bottles. The leaflets were printed locally for the consignee.

LIBELED: 7-11-55, W. Dist. Okla.

CHARGE: 502 (a)—the labeling of the article, while held for sale, contained false and misleading representations that the article was an adequate and

*See also Nos. 5002, 5005, 5008-5013, 5016-5019.

effective treatment for arthritis, rheumatism, neuritis, lumbago, sciatica, neuralgia, and bursitis.

DISPOSITION: C & D Drug Co. appeared as claimant and filed an answer denying that the article was misbranded as alleged. Thereafter, the claimant withdrew its answer; and, on 2-17-56, the court entered a decree condemning the article and ordering that it be destroyed.

5021. Arth-Rite alfalfa capsules. (F. D. C. No. 38265. S. No. 31-206 M.)

QUANTITY: 352 60-capsule btl. at Cleveland, Ohio.

SHIPPED: 6-28-55, from Detroit, Mich., by Carlson Pharmaceuticals, Inc.

LABEL IN PART: (Carton & btl.) "Arth-Rite Alfalfa Plus Vitamins is an effective aid in the relief of ARTHRITIS. * * * Contains P. E. Alfalfa, Vitamin A, Vitamin D, Vitamin B₁ (Thiamine Chloride) Vitamin C, Ferrous Sulfate Dried, Liver Desiccated NF."

ACCOMPANYING LABELING: Circulars entitled "Arth-Rite With Alfalfa."

LIBELED: 8-2-55, N. Dist. Ohio.

CHARGE: 502 (a)—the labeling of the article, when shipped, contained false and misleading representations that the article was an adequate and effective treatment for arthritis.

DISPOSITION: 11-17-55. Default—destruction.

5022. Artho-C (Dri-Seal) tablets, BX-B12 (vitamin and mineral) tablets, and Toco-E (tocopherol) capsules. (F. D. C. No. 38731. S. Nos. 9-186/7 M, 9-189 M.)

QUANTITY: Cartons containing 12,100 *Dri-Seal tablets*, 1 drum containing 18,700 *vitamin and mineral tablets*, and 1 drum containing 15,600 *tocopherol capsules*, at Glendale, Calif., in possession of J. G. Alexander, t/a Personal Health Foundation.

SHIPPED: 1-5-55 and 6-15-55, from St. Louis, Mo., and Cleveland, Ohio, to Denver, Colo., and from there to Glendale, Calif., on 9-1-55.

LABEL IN PART: (Carton) "Dri-Seal * * * E. C. Orange Sodium Salicylate, Sodium Paba & Vitamin C" and "Tocopherol Capsules 3 Min.—Round—Clear P. A. D. V.—#7401 Lot No. 2763"; (drum) "V-1 BX-B12 S. C. Vitamins and Minerals"; (box) "100 [or "200" or "300"] Artho-C Tablets * * * Each tablet contains: Sodium Salicylate 250 mg. (4 gr.) Sodium Para-aminobenzoate 250 mg. (4 gr.) Ascorbic Acid (Vitamin C) 20 mg. Distributed by Personal Health Foundation Glendale 5, California," "100 [or "200" or "300"] BX-B12 Improved B-Complex Multi-Vitamin-Mineral Tablets Each 3 Tablets provide: Vitamin A 6,000 Units * * * Vitamin D 600 Units * * * Vitamin E 0.1 mg. * * * Vitamin B₁ 1.0 mg. * * * Vitamin B₂ 2.0 mg. * * * Vitamin B₆ 0.1 mg. * * * Vitamin B₁₂ 0.1 mcg. * * * Calcium Pantothenate 1.2 mg. * * * Niacinamide 15 mg. * * * Folic Acid 0.067 mg. * * * Vitamin C 37.5 mg. * * * Calcium 300 mg. * * * Phosphorus 200 mg. * * * Iron 65 mg. * * * Fluorine 0.1 mg. * * * Magnesium 15 mg. * * * Molybdenum 0.1 mg. * * * Copper 1.5 mg. * * * Manganese 3.0 mg. * * * Zinc 3.0 mg. * * * Cobalt 0.3 mg. * * * Iodine 0.15 mg. * * * Distributed by Personal Health Foundation Glendale 5, California * * * As a dietary supplement," and "100 [or "200" or "300"] New Improved Toco-E Capsules A concentrated source of Vitamin E as derived from natural sources (mixed tocopherols). Each capsule contains: dl, alpha tocopheryl acetate 30 mg. equivalent in potency